

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 6 1991

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 06 1991

The applicant **Marie Duncan**, hereby make application for permission to change the **a place of use of a portion** of water heretofore appropriated under **Truckee-Carson Irrigation District No. 373, 406 United States of America v. Orr Water Ditch Co. in Equity No. A.13 Claim No. 3; United States of America v. Alpine Land & Reservoir Co. D.C. No D-183 BRT**

1. The source of water is **Truckee River & Carson River**
2. The amount of water to be changed **33.435 Ac. Ft.**
3. The water to be used for **as decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **Lahontan Dam being within the SW $\frac{1}{4}$ -SE $\frac{1}{4}$, Section 33, Township 19 North, Range 26 East, M.D.B.&M.**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **All in Sec. 18, T.19N., R.27E., M.D.B.&M. 7.43 Ac. in the NE $\frac{1}{4}$ -NE $\frac{1}{4}$.**
8. Existing place of use **All in Sec. 18, T.19N., R.27E., M.D.B.&M.; 0.50 Ac. in the NE $\frac{1}{4}$ -NE $\frac{1}{4}$. All in Sec. 17, T.19N., R.27E., M.D.B.&M.; 3.00 Ac. in the NE $\frac{1}{4}$ -NW $\frac{1}{4}$; 3.93 Ac. in the NW $\frac{1}{4}$ -NW $\frac{1}{4}$.**
9. Use will be from **as decreed.**
10. Use was permitted from **as decreed.**
11. Description of proposed works **dam, canal & ditches**
12. Estimated cost of works **complete**
13. Estimated time required to construct works **complete**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks: **Water will be delivered to the proposed place of use via the Truckee Canal.**

By **s/Barry A. Fitzpatrick**
Barry A. Fitzpatrick S.W.R.S. #817
137 Keddie Street
Fallon, Nevada 89406

Compared **cl/bk**

Protested 3/25/91, Pyramid Lake Paiute Tribe;

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that the granting of this application would threaten to prove detrimental to the public interest. No ruling is made on the merits of the protest.

Work must be prosecuted with reasonable diligence and be completed on or before: _____

Proof of completion of work shall be filed before: _____

Application of water to beneficial use shall be filed on or before: _____

Proof of the application of water to beneficial use shall be filed on or before: _____

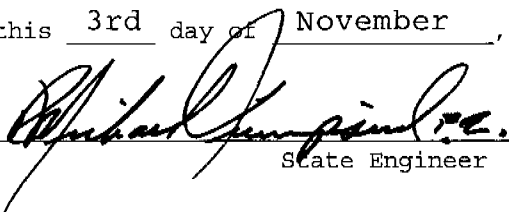
Map in support of proof of beneficial use shall be filed on or before: _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 3rd day of November, A.D. 1999


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____